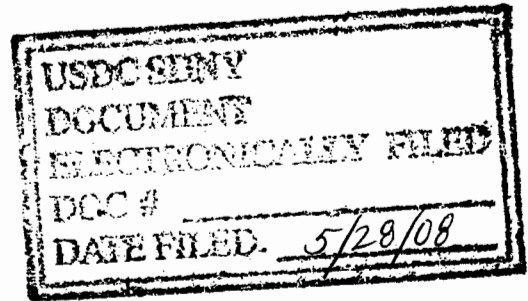


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JAMES BONOMO,

Plaintiff,

-against-

-----X
MITSUBISHI INTERNATIONAL CORPORATION,;

Defendant.
-----X

ORDER

07 Civ. 5967 (CM)(KNF)

KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

A telephonic conference was held with counsel to the respective parties on May 27, 2008. As a result of the discussion had during the conference, and the written submissions previously made to the Court, IT IS HEREBY ORDERED that:

1. William Struyk must answer questions he was directed not to answer during his deposition, based upon an assertion of the spousal communication privilege and the attorney-client privilege;
2. the e-mail message the plaintiff sent to Jill Galloway, concerning health care benefits discussed during the conference, must be disclosed by the defendant to the plaintiff;
3. the retainer agreement between Proskauer Rose LLP and the defendant, pertinent to the instant litigation, must be disclosed by the defendant to the plaintiff;
4. notes prepared by Frederick Lefler, Esq., for which the defendant has not waived the attorney-client communication privilege, need not be disclosed to the plaintiff;

5. on or before June 10, 2008, any motion concerning the spoliation of evidence shall be served and filed;
6. on or before June 24, 2008, the response to any such motion shall be served and filed; and
7. on or before June 30, 2008, any reply shall be served and filed.

Dated: New York, New York
May 28, 2008

SO ORDERED:



KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE